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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/096,684 06/12/98 FRAME

R 17659-016

EXAMINER

TM02/0615

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LAQ.L

ART UNIT

PAPER NUMBER

2673

DATE MAILED:

06/15/01

16

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

507

# Office Action Summary

Application No.

091096,684

Applicant(s)

Robert C. Frary

Examiner

LAO, LUN-TI

Group Art Unit

2673

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 5-07-01
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 111; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-55 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-55 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1- 6, 8-24 and 26-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis et al(5,522,089) in view of Goodrich et al(5,375,076) and Swafford, Jr. et al(5,608,449).

As to claims 1-4, 11, 13, 21, 30 and 35-55, Kikinis et al teach a portable computer system(see figure 5) comprising battery connector(15)(see figures 3, 6 and column 6, lines 55-65); a portable base computer(172) having a wireless receiver(see figures 5, column 1, lines 49-58; column 5, lines 36-40 and column 17, lines 6-10); a processor(24) having a data input operatively connected to the wireless receiver and having a power input(see figures 5-6; column 3, lines 41-44 and column 10, lines 59-66); mass storage(28 or 62)(see figures 5-6 and column 10, lines 59-66) and a wireless transmitter(see column 1, lines 49-58; column 5, lines 36-40 and column 17, lines 6-10); and a portable user interface module(10) having a wireless receiver(94) see figures 1A, 1B, 13; column 1, lines 49-58; column 16, lines 60-68; column 17, lines 1-10 and

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column 18, lines 32-36); a display(25) for displaying information having a data input connected to the wireless receiver(94) and having a power input connected to one of the battery connectors(15)(see figures 1A, 1B, 3, 6, 13; column 7, lines 41-50; column 1, lines 49-58; column 16, lines 60-68; column 17, lines 1-10 and column 18, lines 32-36); a user interface device(16)(see figures 1A, 1B, 3 and column 7, lines 46-50) and a wireless transmitter(94)(see figure 13; column 1, lines 49-58; column 16, lines 60-68 and column 17, lines 1-10).

Kikinis et al fail to disclose a processor connected to a battery and a processor-less portable user interface.

Goodrich et al teach a processor(portable computer) connected to a battery(see column 1, lines 13-21). It would have been obvious to have modified Kikinis et al with the teaching of Goodrich et al, since a battery can be easily removed for periodic replacement(see Kikinis's column 6, lines 64-65).

Swafford, Jr. et al teach a computer system comprising a processor-less portable user interface(2)(see figures 1-3; column 2, lines 1-6 and column 7, lines 31-47). It would have been It would have been obvious to have modified Kikinis et al as modified with the teaching of Swafford, Jr. et al since the processor for controlling an interface unit(2) can be located in a base unit(14)(Swafford, Jr.'s column 7, lines 31-47 and a change in location is generally recognized as being within the level of ordinary skill in the art.

As to claims 13, 30, 36, 41-43 45, 47, 48 and 50-52, Swafford, Jr. et al teach a base unit(14) does not have a display device and an input device(see figures 1-3 and column 5, lines 5-

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16). It would have been obvious to have modified Kikinis et al as modified with the teaching of Swafford, Jr. et al, so as to simplify the base unit by eliminating a display and an input device in a base unit.

As to claims 2, 14, 22, 33 and 37, Kikinis et al teach a portable computer system comprising a mechanical connector to hold the base computer(172) in contact with the user interface module(10)(see figures 1A, 5, 6; column 5, lines 1-40).

As to claims 3, 15, 23, 33 and 37, Kikinis et al teach a portable computer system comprising an electrical connector(105) for electrically connecting the base computer(172) to the user interface module(10)(see figures 1A, 5, 6; column 5, lines 1-40; column 9, lines 40-43 and column 11, lines 3-40).

As to claims 4 and 16, Kikinis et al teach an electrical connector(14) to bypass the wireless transmitters and receivers(94)(see figures 5, 6, 13; column 11, lines 3-9 and column 16, lines 60-64).

As to claims 5, 9, 17, 27 and 28, Kikinis et al teach the user interface module(10) can display a pointing device(18) and a window(72)(see figures 1B, 4; column 5, lines 54-63 and column 8, lines 13-68).

As to claims 6 and 18, Kikinis et al teach a portable computer system comprising a local are network(see column 17, lines 6-10).

As to claims 8 and 26, Kikinis et al teach a portable computer comprising a keyboard(see figure 4; column 8, lines 25-42 and column 19, lines 56-64).

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As to claims 10, 19, 29, 32 and 34, it would have been obvious to have the user interface device(10) with the same size as portable base computer(172) since such a modification would have involved a mere change in the size of a component. A change size is generally recognized as being within the level of ordinary skill in the art In re Rose, 105 USPQ 237(CCPA 1955).

As to claims 12, 20 and 21, Kikinis et al teach an user interface module comprising obstacle-tolerant wireless transmitter and receiver(IR communication)(see figure 13; column 1, lines 49-58 and column 17, lines 6-10).

As to claim 31, Goodrich et al teach a portable user interface is about nine pounds(see column 1, lines 20-23).

3. Claims 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis et al(5,522,089) in view of Goodrich et al(5,375,076) and Martin et al(5,148,155).

Kikinis et al fail to disclose a portable interface device comprising a 640X480 display.

Martin et al teach a portable computer system comprising a 640X480 display for display a window, a pointing device(224) and a keyboard(222) with letter and ten decimal keys(see figures 1, 10, 11; column 5, lines 31-36; column 33, lines 28-37 and column 34, lines 1-7). It would have been obvious to have modified Kikinis et al as modified with the teaching of Martin et al, since Kikinis et al have been disclosed a display resolution could be changed(see column 8, lines 2-8).

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*Conclusion*

4. Applicant's arguments with respect to claims 1-55 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that the reasons for combining references is absent. The examiner disagrees with that since the reasons for combining references has been given by the examiner(see paragraph #2 above).

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Danne et al (5,818,830) teach a mainframe computer communicating a dummy terminal which includes a display and a keyboard.

7. **Any response to this final action should be mailed to:**

**Box AF**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications; please mark "EXPEDITED  
PROCEDURE")

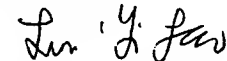
**Or:**

(703) 872-9314 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication should be directed to Lun-yi, Lao at telephone  
number (703) 305-4873.

June 13, 2001



Lun-Yi Lao  
Primary Examiner